

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

LP MATTHEWS, L.L.C.	)	
	)	
Plaintiff,	)	
	)	
v.	)	C.A. No. 04-1507-SLR
	)	
BATH & BODY WORKS, INC.; LIMITED	)	
BRANDS, INC.; KAO BRANDS CO.	)	
(f/k/a THE ANDREW JERGENS	)	
COMPANY); and KAO CORPORATION	)	
	)	
Defendants.	)	

**OBJECTIONS TO DEFENDANT BATH & BODY WORKS, INC.'S  
NOTICE OF DEPOSITION OF WILLIAM J. INGRAM**

Non-party William J. Ingram and plaintiff LP Matthews, L.L.C. object to defendant Bath & Body Works, Inc.'s January 6, 2006 Notice of Deposition under Fed. R. Civ. P. 30 (D.I. 172). Mr. Ingram is not a party to this action. Nor is he an officer of plaintiff LP Matthews. Accordingly, he cannot be deposed pursuant to Rule 30 alone. Finally, subpoena(s) under Rule 45 served on Mr. Ingram, which appear to be related to the notice, do not comply with the Federal Rules of Civil Procedure or the Local Rules of the District of Colorado because, among other things, the issuing authority did not confer with the non-party or his attorney prior to service. William Ingram further objects to cumulative or duplicative examination. Plaintiff LP Matthews similarly objects to cumulative or duplicative examination, particularly since the defendants have made similar (though incomplete and unsubstantiated) invalidity contentions. Both William Ingram and LP Matthews note that the defendants have not attempted in advance to coordinate their subpoenas of non-party witnesses, though they have intimated an intent to "coordinate" depositions of non-parties that they have served with multiple subpoenas.

ASHBY & GEDDES

*/s/ Lauren E. Maguire*

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Steven J. Balick (I.D. #2114)  
John G. Day (I.D. #2403)  
Lauren E. Maguire (I.D. #4261)  
222 Delaware Avenue, 17th Floor  
P.O. Box 1150  
Wilmington, Delaware 19899  
Office: 302-654-1888  
[sbalick@ashby-geddes.com](mailto:sbalick@ashby-geddes.com)  
[jday@ashby-geddes.com](mailto:jday@ashby-geddes.com)  
[lmaguire@ashby-geddes.com](mailto:lmaguire@ashby-geddes.com)

*Attorneys for Plaintiff LP Matthews, L.L.C.  
and non-party William J. Ingram*

*Of Counsel:*

Ronald J. Schutz  
Robins, Kaplan, Miller & Ciresi L.L.P.  
2800 LaSalle Plaza  
800 LaSalle Avenue  
Minneapolis, MN 55402-2015  
Office: 800-553-9910

Robert A. Auchter  
Jason R. Buratti  
Robins, Kaplan, Miller & Ciresi L.L.P.  
1801 K Street, Suite 1200  
Washington, D.C. 20006  
Office: 202-775-0725

Dated: January 12, 2006  
165568.1

**CERTIFICATE OF SERVICE**

I hereby certify that on the 12<sup>th</sup> day of January, 2006, the attached **OBJECTIONS TO DEFENDANT BATH & BODY WORKS, INC.'S NOTICE OF DEPOSITION OF WILLIAM J. INGRAM** was served upon the below-named counsel of record at the address and in the manner indicated:

Richard L. Horwitz, Esquire  
Potter Anderson & Corroon, LLP  
Hercules Plaza, 6<sup>th</sup> Floor  
1313 North Market Street  
P.O. Box 951  
Wilmington, DE 19899-0951

HAND DELIVERY

Arthur I. Neustadt, Esquire  
Oblon, Spivak, McClelland, Maier & Neustadt, P.C.  
1940 Duke Street  
Alexandria, VA 22314

VIA ELECTRONIC MAIL

Francis G.X. Pileggi, Esquire  
Fox Rothschild LLP  
Suite 1300  
919 North Market Street  
Wilmington, DE 19899

HAND DELIVERY

John Ward, Esquire  
Ward & Olivo  
708 Third Avenue  
New York, NY 10017

VIA ELECTRONIC MAIL

*/s/ Lauren E. Maguire*

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Lauren E. Maguire